

PUBLIC TRUST ALLIANCE
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Comments on "Highlights" Portion of B-160-05

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Dear Kamyar and Paul,

It's truly quite a task to encapsulate and communicate the advances of this Bulletin-160 Process and the "Highlights" product is indeed a good start on a readable and understandable summary. But there are several places where a clearer, or perhaps less misleading impression might be made:

On Page 2, the graphic depiction of the "water balance" tends to look like Wild and Scenic Rivers "consume" a large share of water. It's good to get the impression of changing allocations in different types of years, but the "applied water" measure doesn't convey the notion of overlapping use which is so important to understanding water management in the state. Without an explanation that Wild and Scenic reaches of rivers upstream of dams are used downstream, the illustration is seriously misleading. The same is true of much agricultural and urban use, but water quality is often impaired. None of this is evident from this graphic, and one might conclude that its function is more political than educational.

On Pages 4 and 5, increasing population is assumed to be a direct driver of increased water use. This would be true if we actually used water efficiently. But in line with our process-wide discussions of scenarios, and our embrace of uncertainty, we have to say that increasing population "may" lead to increasing urban demand and not "will." This is precisely where the California public has a chance to influence their future. We have less choice in the event of climate change, but this is incomprehensibly described as "hydrologic patterns become more uncertain." Each scenario is described as "a different base condition for 2030, to which the water community would need to respond." This is misleading because what each really entails is a different plausible future with base conditions and responses mixed with different outcomes.

The Roadmap to 2030 described on pages 6-9 certainly captures the perceived need to consider environment and economy simultaneously, but it almost totally ignores repeated assurances from State Planners that California Government planning proceeds with attention to “Three E’s:” Economy, Environment and Equity. “Sustainability” has a social as well as environmental dimension and this can be captured in a number of locations:

On page 6 in the description of what the Water Plan and its recommendations do: Instead of ending the sentence with “to make the most of our water resources,” we might add “and provide reasonable access to high quality domestic supplies for all California communities.” In the “Actions to ensure sustainability” section on page 7, the bullet about water transfers might include the notion of “locally acceptable” in addition to environmental and economic dimensions.

On page 8, where the first sentence says to ensure sustainability, California must also manage water in ways that protect and restore the environment, we could also add, “and support the diverse range of California’s human communities.”

On page 9, in fostering regional partnerships, we might add “These partnerships also might help in identifying and mitigating any potential disproportionate impacts on particular communities.” Any of these additions would serve to improve the current situation where the first hint of an equity dimension comes on page 12 in an obscure note that forums should include all communities in the sixth bullet down in principles of integrated regional management.

The “Essential Support Activities” on page 13 are very useful in providing an overview of the strategic framework. But an important omission is the bullet: “Address State public trust obligations.” A key disservice to the California public occurs when this omission is added to the vague first bullet about “Reform State Government” which was never really discussed by either DWR or the Advisory Committee during our years together. After the California Performance Review suggestions to eliminate institutional memory or administrative coordination of public trust obligations and responsibilities (by way of suggested elimination of State Lands Commission, merger of DWR into an “Infrastructure” department, and elimination of regional air and water boards), one has to be highly skeptical of inclusion of the word “reform” in this context. An important cautionary tale comes to us from the experience of the State of Wisconsin where the Office of the Public Intervenor was eliminated in a move toward “government efficiency.” The Wisconsin Attorney General has joined numerous other parties in recognizing that this action was a serious mistake that has left Wisconsin residents without adequate protection of important public trust interests. But here in California, “reforms” are not merely suggesting the elimination of an office providing enhanced protection of public interests, they are suggesting eliminating the core institutions recognizing these responsibilities in the first place. Perhaps the first bullet should be rephrased: “Enforce State Government responsibilities for effective leadership, assistance and oversight.” And a bullet on public trust responsibilities should be added.

The addition of suggested text describing varying conditions among California's diverse communities will help the public better understand the recommendations for implementing environmental justice and protecting public trust values. These are increasingly important components for the success of California's water management strategies, and their appearance in the Highlights section are useful for both enhanced public understanding and government effectiveness. Overall, this is really moving in the right direction.

Thanks very much for the additional opportunity to comment as this new material is being prepared for public release.

Sincerely,

Michael Warburton

Executive Director

I also serve as Project Manager of the Community Water Rights Project at the Ecology Center and am a member of the Steering Committee for the Environmental Justice Coalition for Water.